

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Markem Corporation

v.

Civil No. 07-cv-6-SM

Zipher Ltd.

Videojet Technologies, Inc.


O R D E R

Markem seeks a version of a Protective Order that permits counsel and experts in similar cases in the U.K. access to the discovery in this case.

Ultimately, protective orders rely on the contempt power of the court for enforcement. U.K. lawyers and experts are not subject to the jurisdiction of this court and its power of contempt. Additionally, U.K. judges can determine what is discoverable under English law and this court will make Rule 26 decisions in this case. A stipulated protective order for this case is appropriate, but it is not the business of this court to accommodate its orders in this case to the needs or desires of counsel in foreign cases.

The motion (document no. 38) is denied.

SO ORDERED.


James R. Muirhead
United States Magistrate Judge

Date: October 12, 2007
cc: Counsel of Record